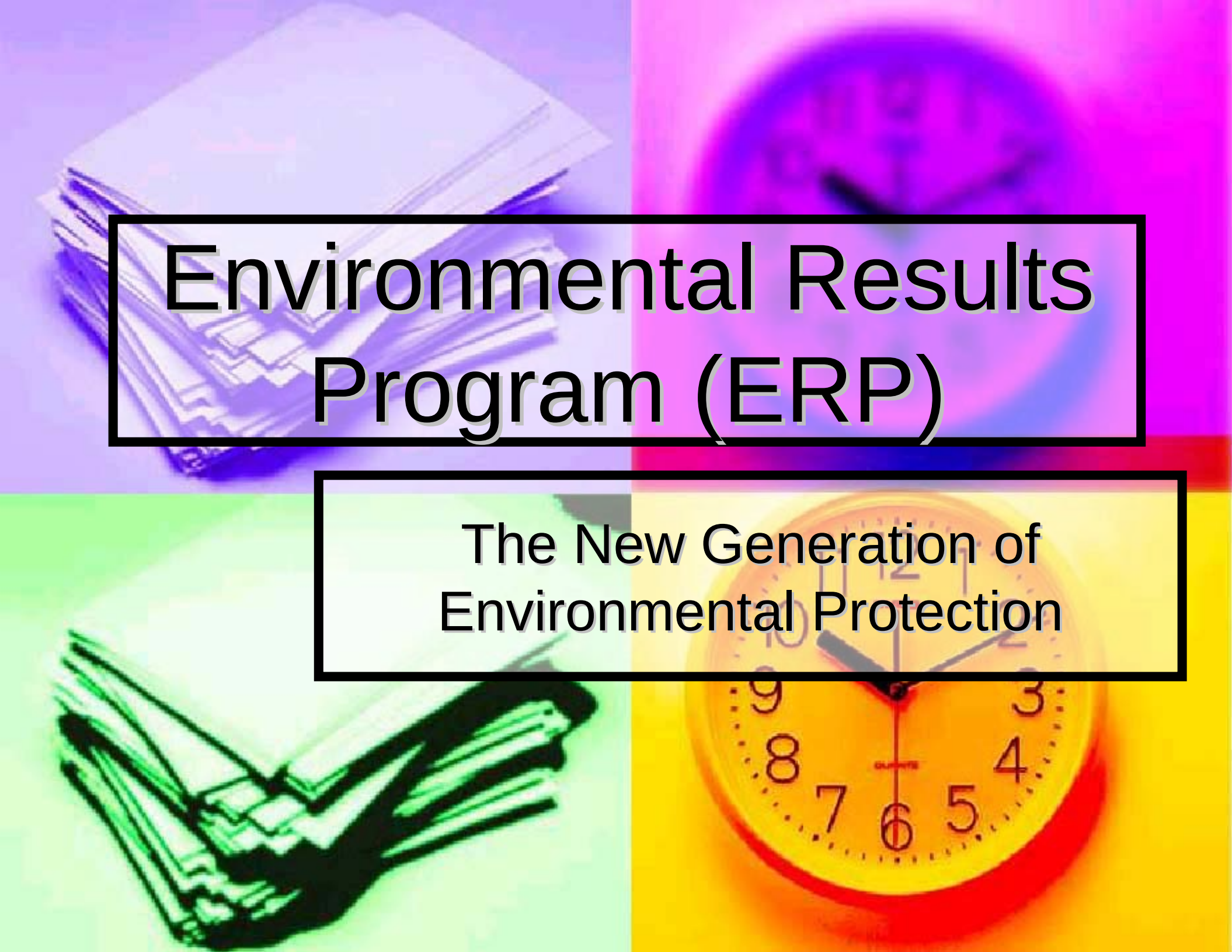
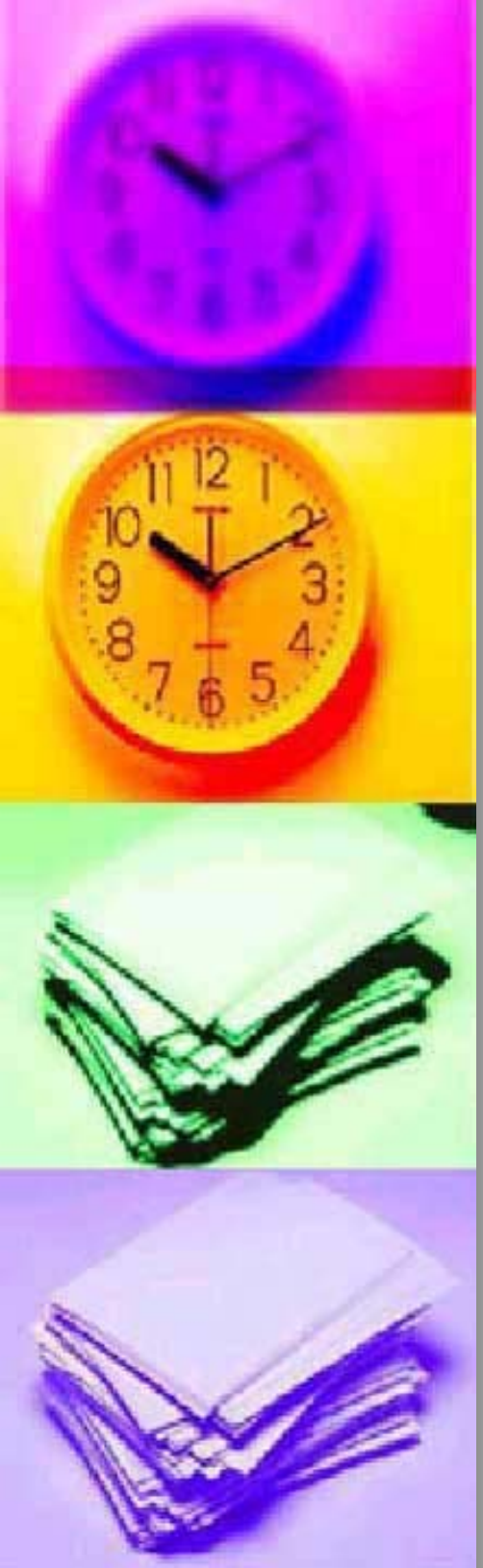


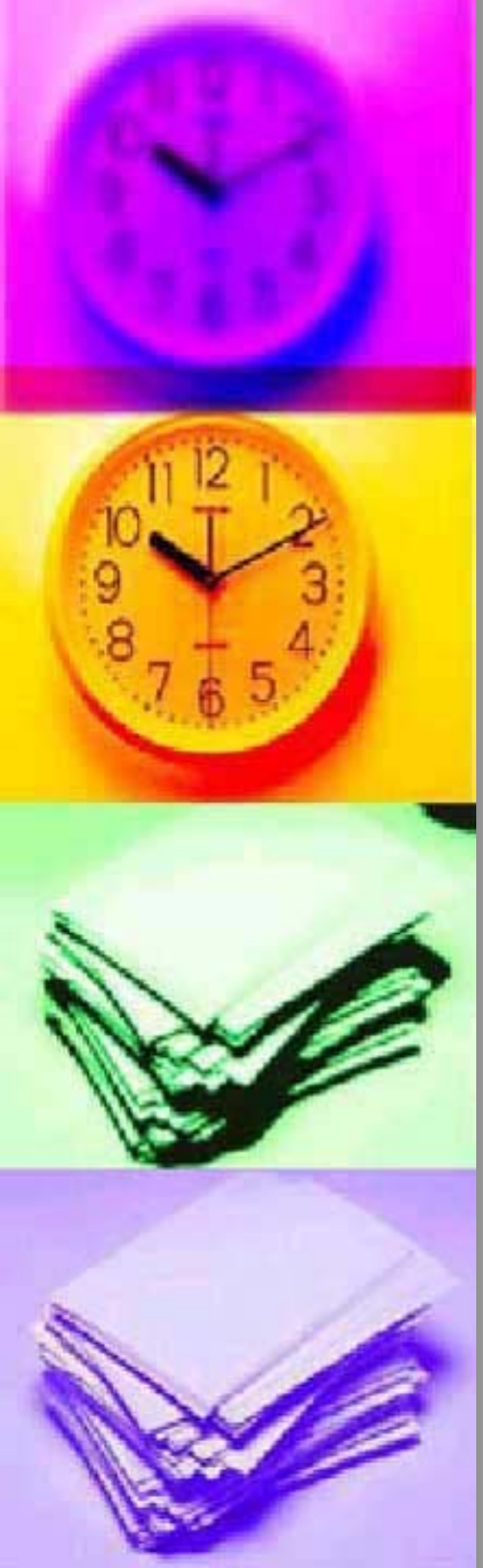
Environmental Results Program (ERP)

The New Generation of Environmental Protection



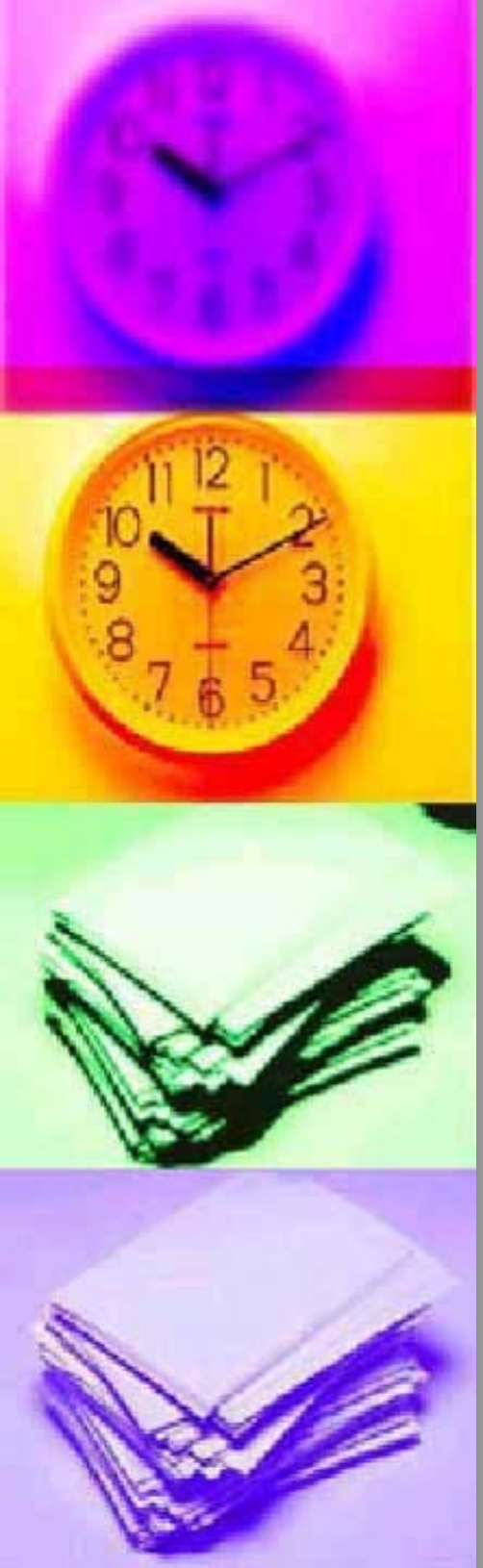
ERP and APII

- I’m here to answer your questions on ERP:
  - Who started it and when, what is it, why do it and how has it impacted the environment?
  - Where’s it going in WI?



History of ERP

- MA DEP major sources (LQG and HAPs) in high rate of compliance, but still not meeting environmental goals like ozone attainment
- recognize that numerous small sources cumulatively create significant environmental impact
- build on successful multimedia, P2 approach
- wanted less prescriptive performance-based approach
- better way to measure regulated community and agency performance
- two ERPs implemented 1997, and third in 1998



What is ERP?

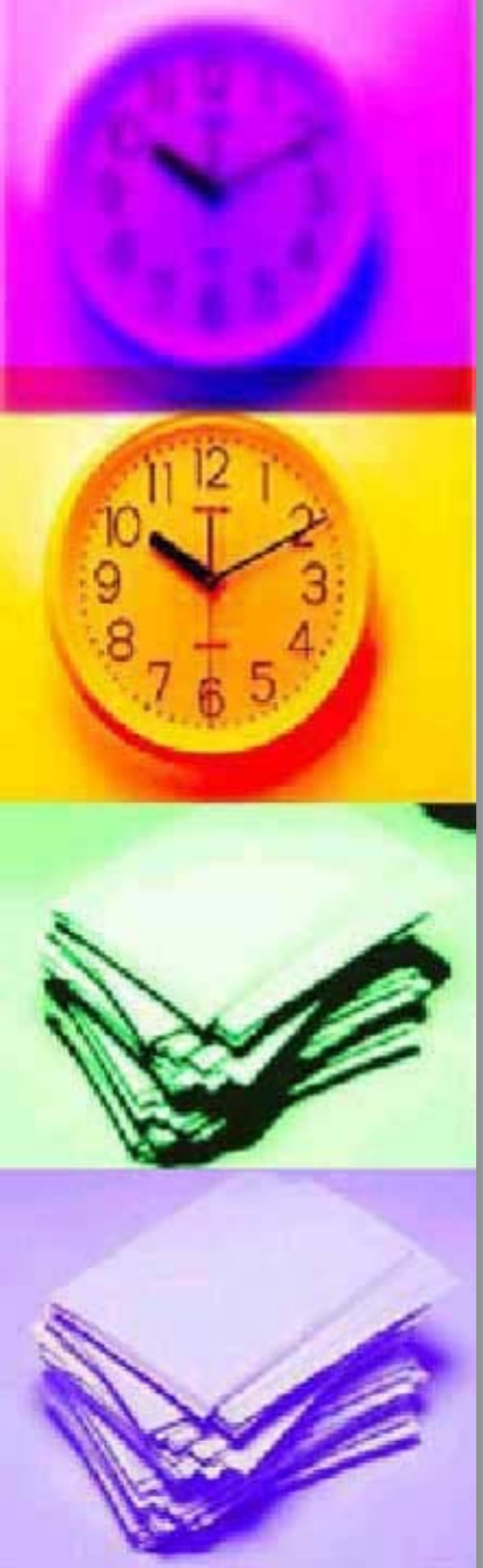
Traditional tools:
- Regulations
- Inspections

Tool 2: Self-certification
2a. Sector standards
2b. Applicability Statements
2c. Self-certification forms
2d. Return to compliance plans

Environmental Results Program

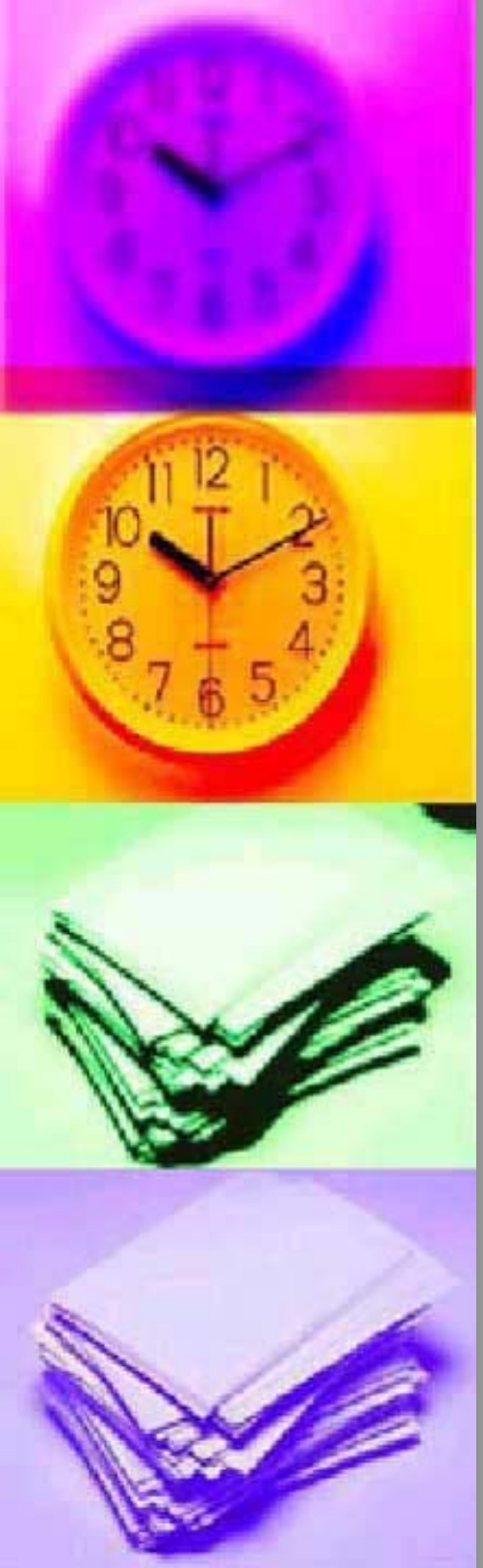
Tool 1: Compliance Assistance
1a. Compliance assistance workbooks
1b. Compliance assistance workshops

Tool 3: Performance Measurement
3a. Environmental Business Practice Indicators
3b. Statistical analysis
3c. Use of outcomes to target actions
3d. Reporting results



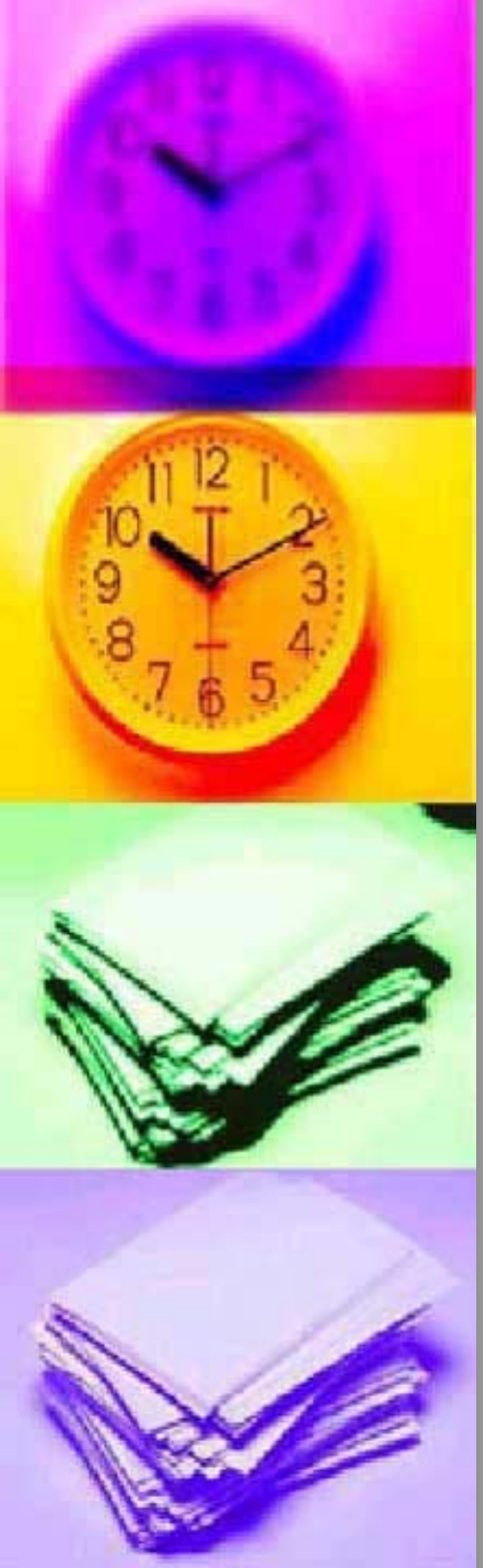
ERP's Three Elements

- 1. develop plain English workbook with comprehensive summary of environmental regulations, best management and pollution prevention
  - include checklist for self-audit
  - provide training for industry on how to use the workbook and checklist



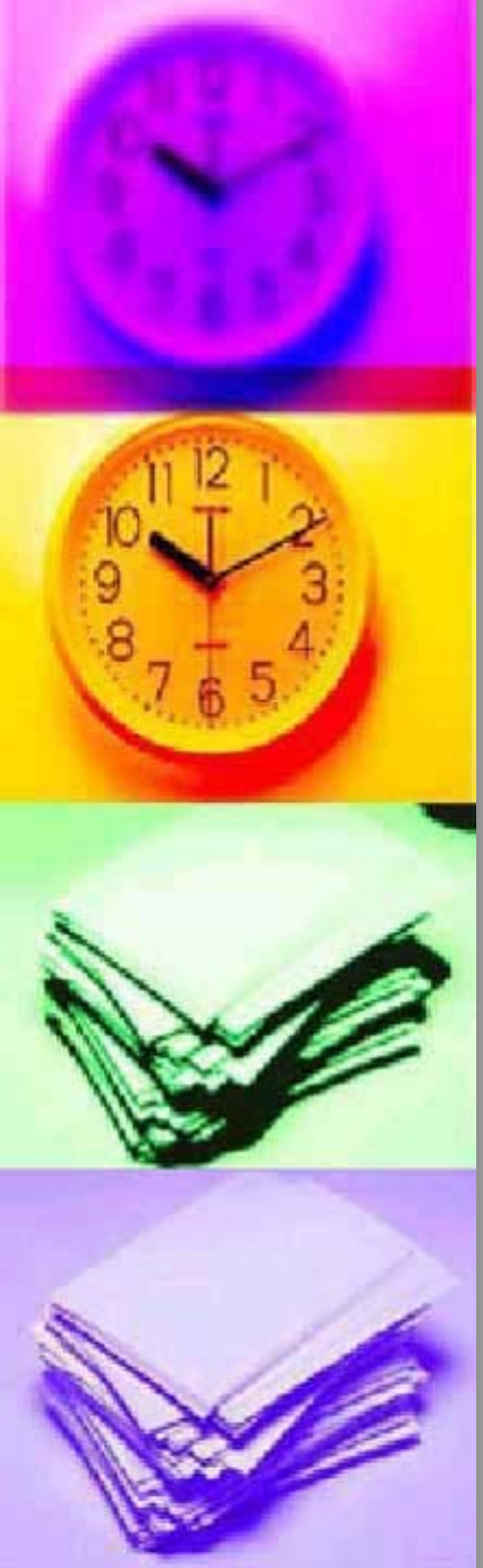
ERP's Three Elements

- 2. each business completes self-certification form
  - use workbook as supporting information
  - submits to agency along with return to compliance plan if necessary
    - if can not correct problem prior to submitting the certification



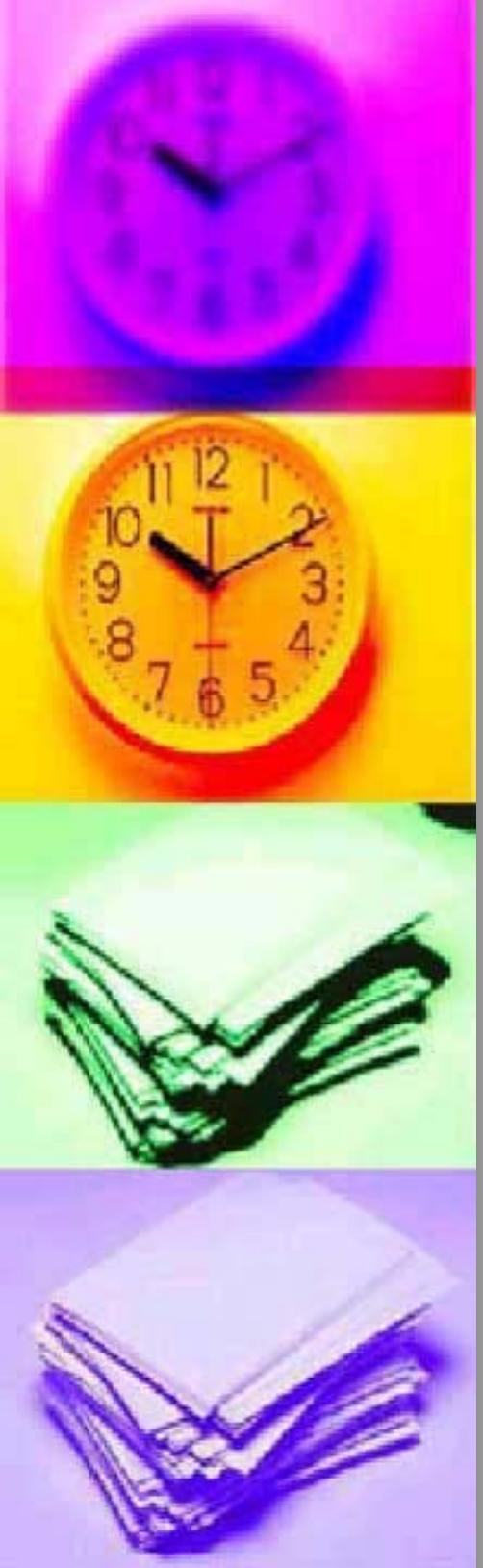
ERP's Three Elements

- 3. DNR measures baseline and post-certification compliance levels
  - random selection of inspections and other features allow statistical analysis
  - use Environmental Business Practice Indicators (EBPIs) to evaluate sector progress
  - can also target sources for inspection



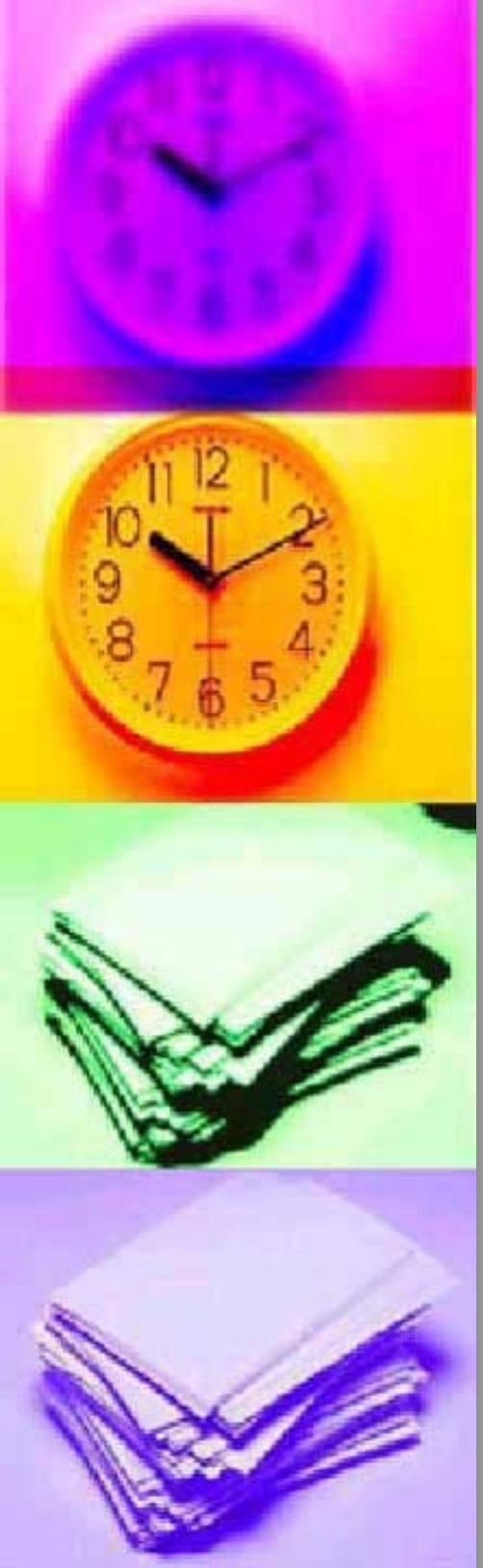
Why ERP?

- regulators reduce public and environmental health risks
  - assure environmental compliance
  - enhance and measure environmental performance
  - build a sustainable system for regulatory oversight
- create partnerships among stakeholders



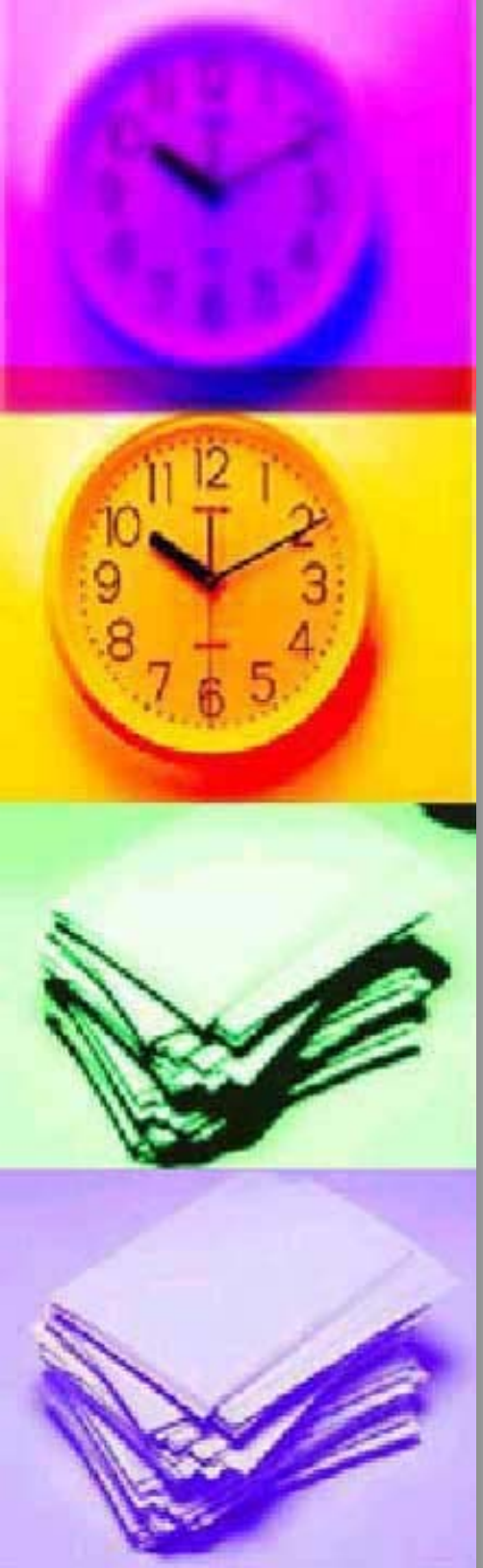
Why ERP?

- small business has greater likelihood of being in compliance
  - everything you need to do in one place
  - “just tell me what I need to do”
  - in PLAIN English
  - streamline or reduce complexity of some requirements
  - replace multiple permits, licenses, notifications (statutory authority)
  - audit immunity
  - level playing field (mandatory)



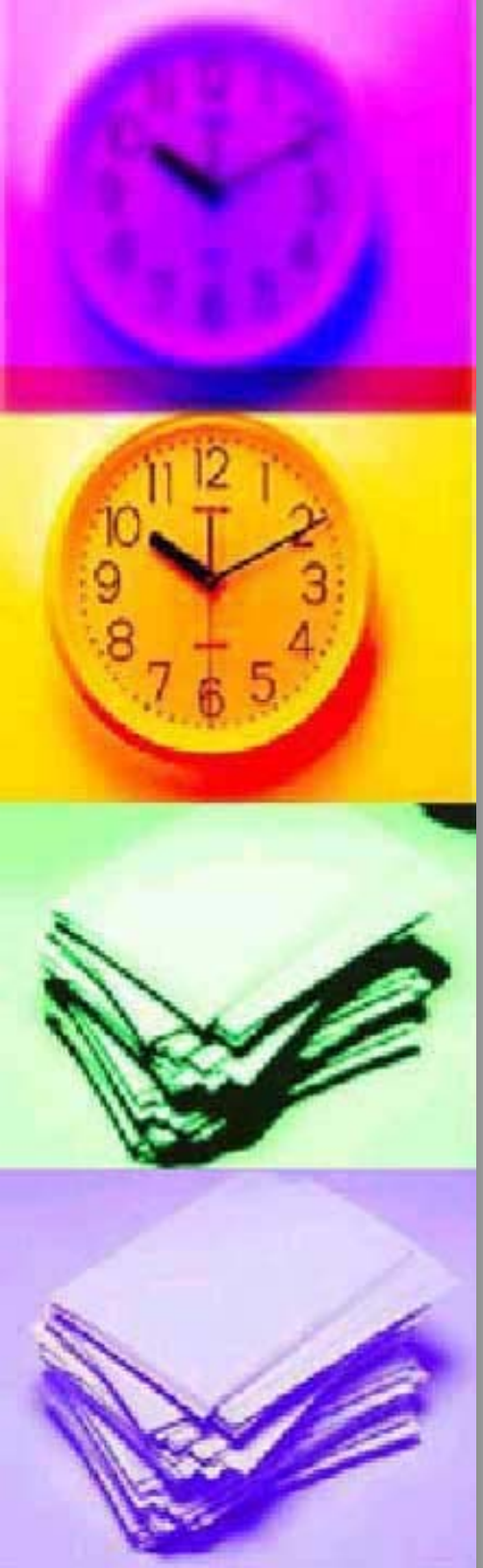
Advantages of ERP

- standardized forms and statistical sampling
  - fewer resources to bring more sources into compliance
- change focus from one-to-one to one-to-many
  - managed with ~1 FTE per sector
  - instead of pursuing individual enforcement, target common violations across sector for far-reaching affect
- BMPs and P2 information encourage industry to go “beyond compliance”



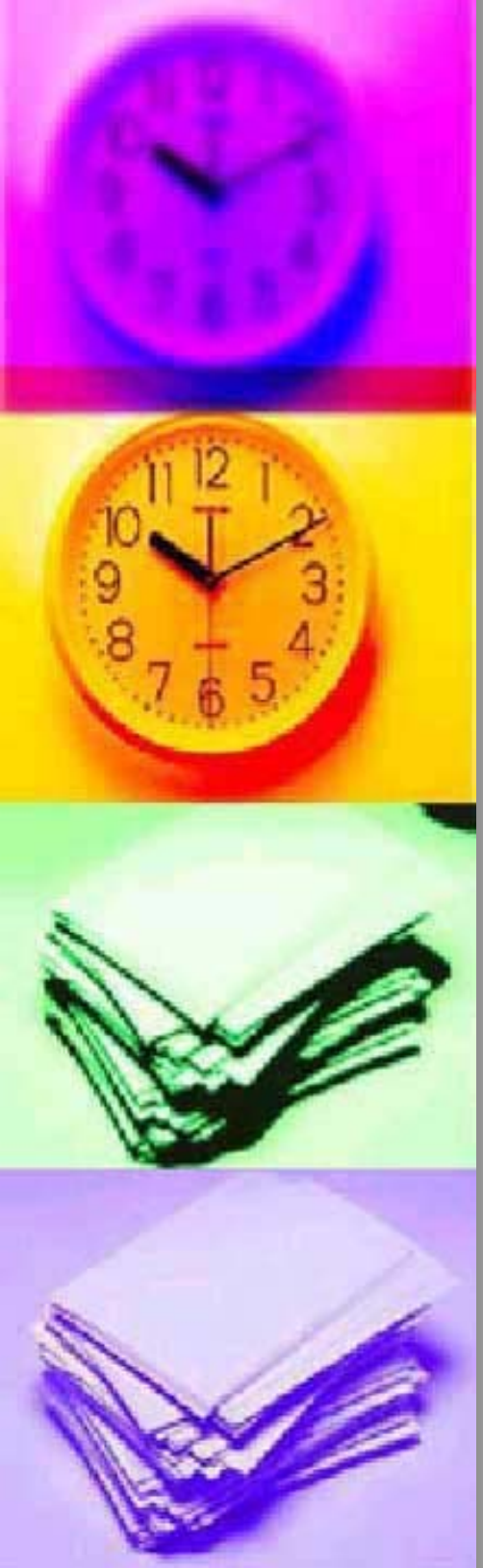
Results from MA Printers

- Increase in overall compliance from 74% to 87% in just first year
  - ratio of EBPI's in compliance to total number of EBPIs
- self-certifications completed honestly
  - only 11% where facility indicated compliance but inspector found violation
  - 8% facility said noncompliance while inspector found in compliance
- from ERP Industry Progress Report, Printing Industry, July 2003



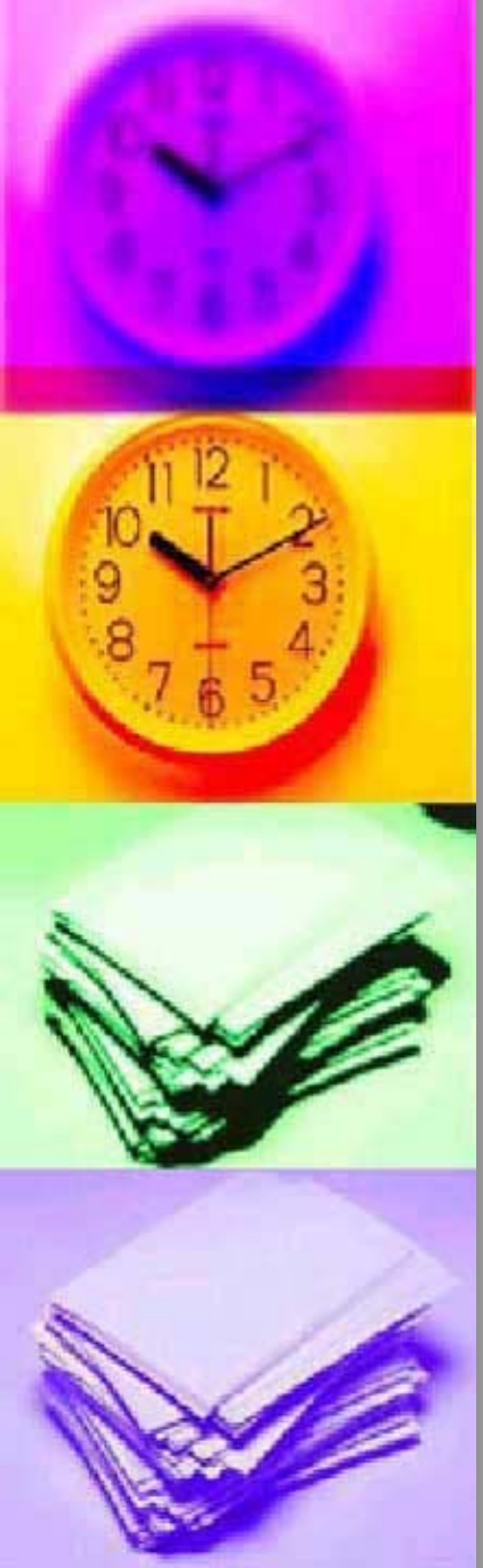
Results from other MA sectors

- Dry cleaners
  - went from having 10% of sector on file (1995) to 95% in ERP data base (by 1998)
  - leak detection performance improved from 33% in ’97 to 66% in 2000, reduction of 22.5 tons perc
- Photoprocessors
  - 98% in compliance multiple years
  - changing from annual certs to less frequent



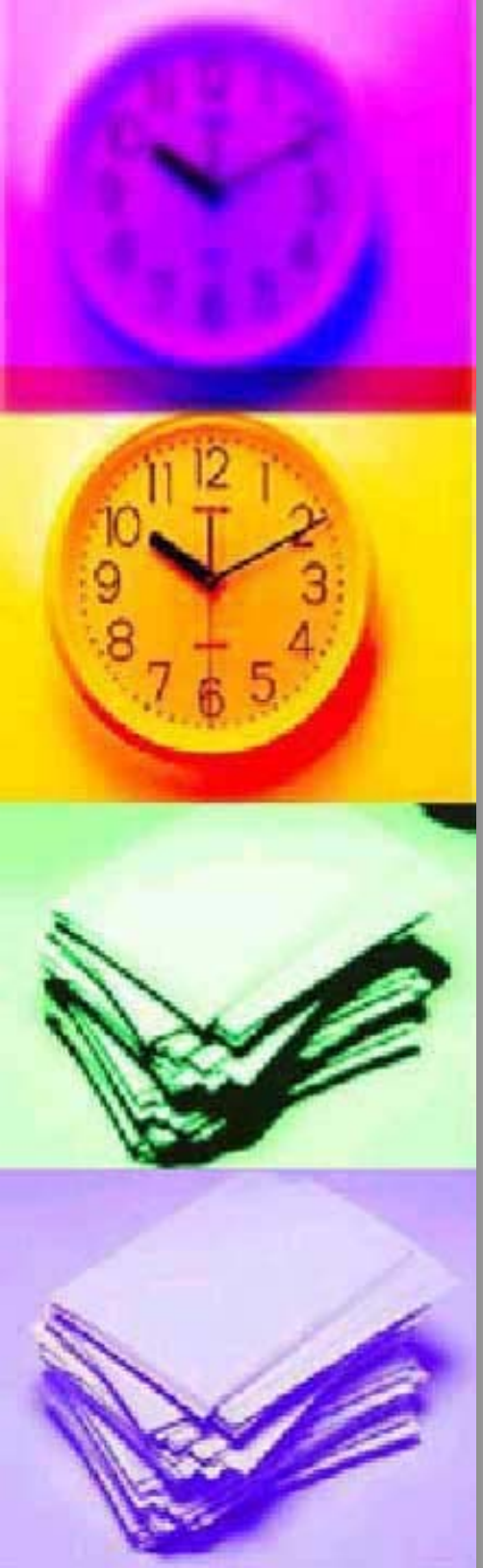
States Using ERP

- Massachusetts
- Florida
- Rhode Island
- Delaware
- Maine
- Michigan
- Minnesota
- Wisconsin
- Colorado
- Illinois
- Indiana
- Nevada
- Vermont
- Virginia

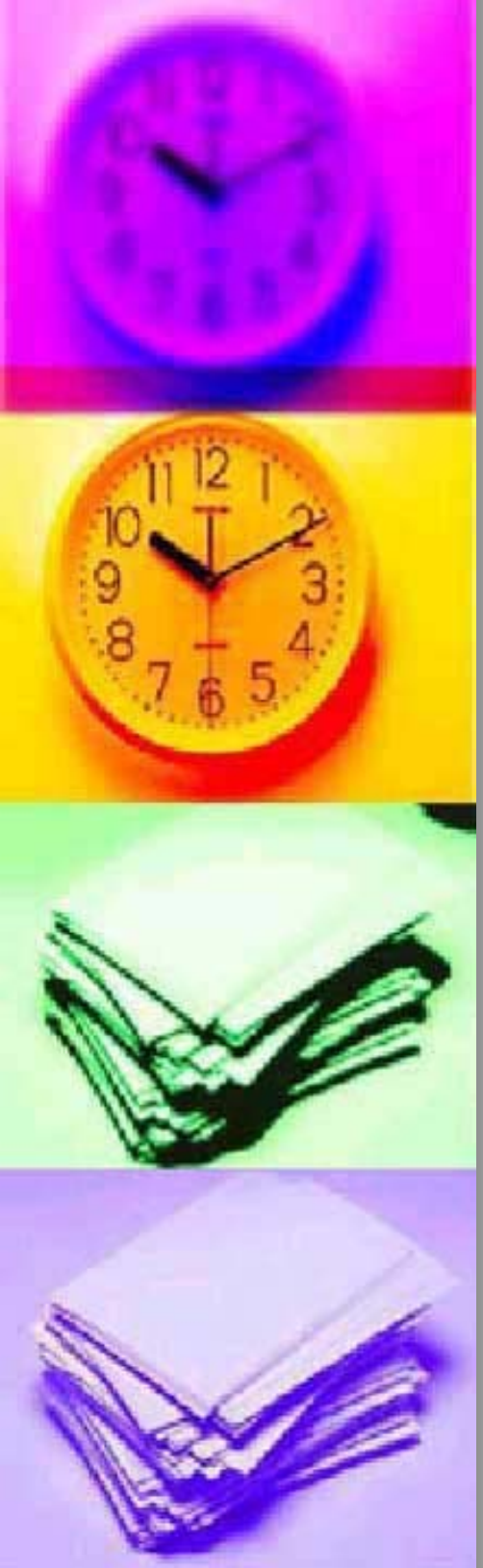


ERP Sectors and Processes

- Printers
- Dry Cleaners
- Photoprocessors
- USTs and Stage 1 or 2 vapor recovery
- Autobody Refinishing or Auto repair
- Auto salvage
- Dental facilities
- SQGs
- Animal operations (feedlots)
- Lead Paint removal contractors
- Small Industrial Boilers
- Industrial WW holding tanks
- Sanitary sewer connections
- Stormwater P2 initiative
- underground injection wells

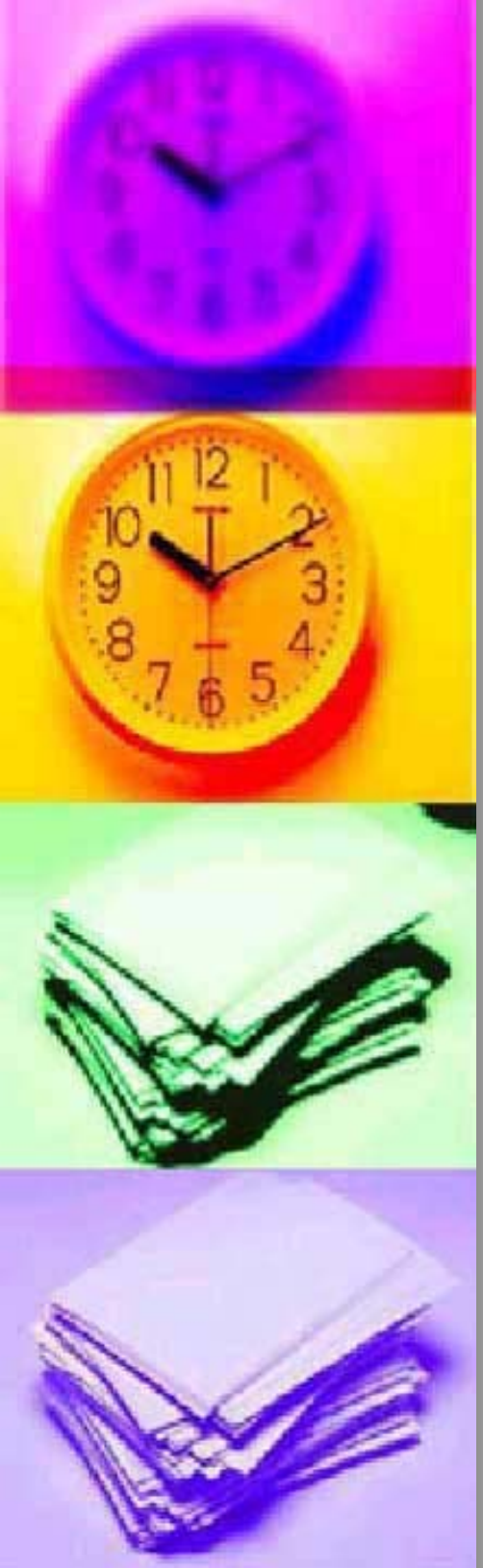


Questions on ERP Concept?



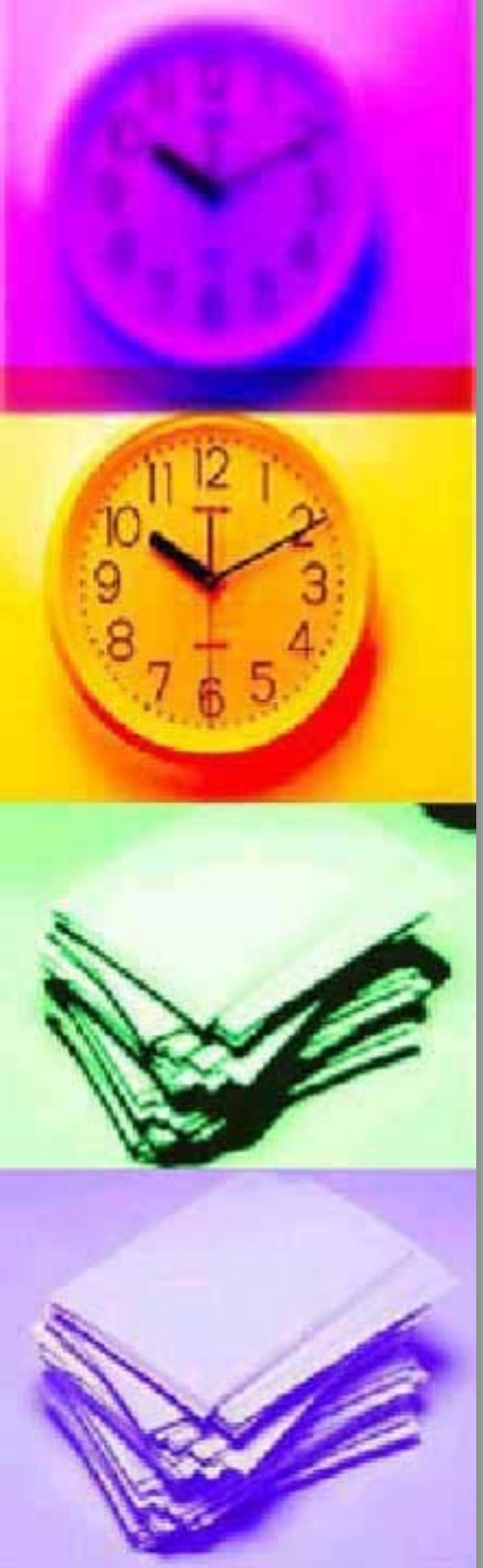
WI Printer ERP

- pilot from 7/05 through 6/08
- large universe
  - ~2400 small printers in WI
  - means 250-300 inspections
- proposed schedule
  - workbook by spring ’06
  - baseline inspections mid ’06
  - industry training early ’07
  - self-inspections submitted spring ‘07
  - post-inspections mid ’07
  - evaluate results late ’07 or early ‘08



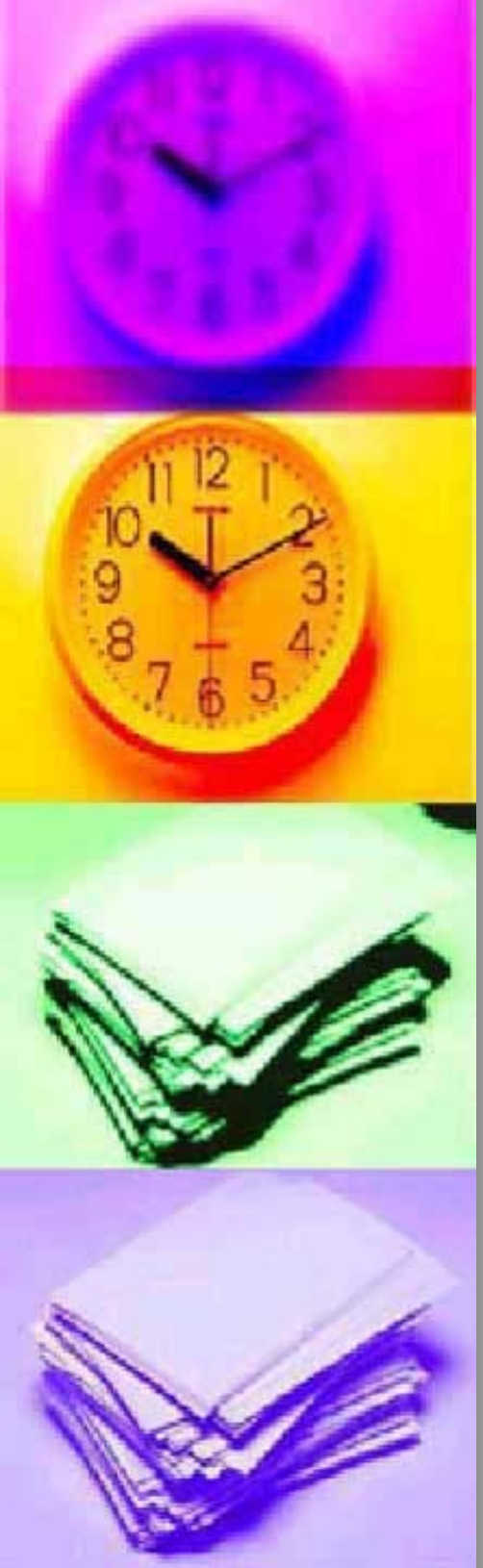
Who will be included?

- Eligibility level will be set based on air emissions
  - selected to include those that might need ROP and below
  - expect to have a ROP developed based on the first one, with some printer specific changes
  - hope to have seamless process of coverage under ROP through ERP certification, but no details worked out since first ROP not issued yet



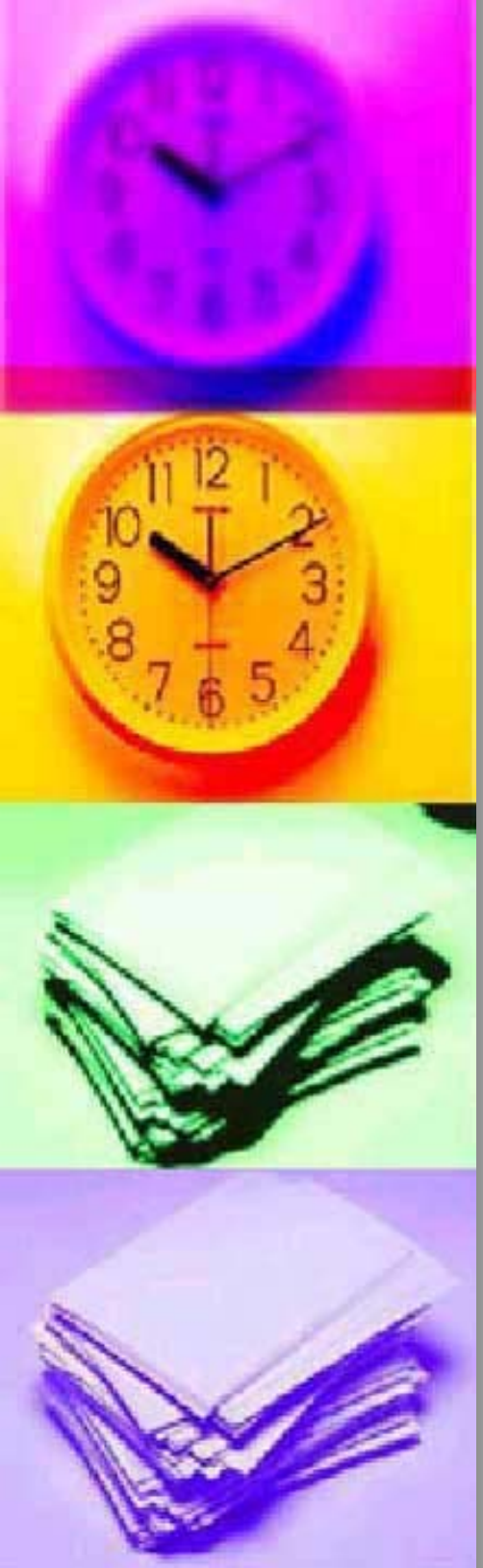
Accomplished so far...

- workbook development >1 year
  - SGIA, PIW, GATF/PIA on regular calls with Comm and DNR staff
  - cross program participation
  - calls biweekly for ~6 months
  - hired professional editor to polish
  - final Air Program details delaying
- indicators drafted
  - input from programs and printers
  - need input from other stakeholders



Near Term Challenges

- data management
  - automate inspection checklists to minimize resources needed
  - automate self-certifications because huge number of submittals possible (~2400+)
- encouraging high level of participation if voluntary program
  - results may be skewed in some way if low participation
  - need strong incentives to drive participation



Review Documents

- Workbook
- Checklist
- Return to Compliance Plan form

	QUESTION HW.1 Do you generate any hazardous waste?	☐ Yes. Continue on with the workbook. ☐ No. Skip to the next chapter.

Section B: What is your Generator Status?

A printer's Generator Status reflects the amount of hazardous waste generated at the facility. Printers are classified as Very Small Quantity Generators, Small Quantity Generators, or Large Quantity Generators.

To determine your generator status, you must calculate the total amount of *each type* of hazardous waste you generate each month. Although this amount might vary from month to month, you must use the HIGHEST generation month during the past calendar year as a baseline.

Generator - a facility, site, operation or activity that produces or creates hazardous waste.

How do I calculate the generation rate for my facility?

The first step in calculating your generation rate is to total the amount of each type of hazardous waste you generated each month during the past calendar year.

Totals must include:

- any hazardous materials accumulated on-site
- materials packaged and transported off-site
- still bottoms or sludges and/or material removed from product storage tanks
- still bottoms from on-site recycling units—if the contents are considered hazardous based on the *mixture* rule or empty container rule–see page HW-7 on the Empty Container Rule
- waste oil, if it contains at least 1,000 ppm total *halogens*

Mixture Rule: if non-hazardous waste is combined with any amount of hazardous waste, the total amount of waste is considered hazardous.

Halogens: various F-listed solvents containing chlorine, such as tetrachloroethylene, tricholoethylene, methylene chloride.

Amounts that **do not** need to be included in your totals:

- materials placed directly in a regulated on-site treatment or disposal unit
- universal wastes that are handled properly (see page HW-X for details)

Generator Status Thresholds

Thresholds have been established to define the maximum amount of waste that may be generated at each Generator Status level.

Thresholds are:

- **Very Small Quantity Generators (VSQG)**. Generating 220 lbs or less per month (27 gallons/month or approximately one-half of a 55 gallon drum)
- **Small Quantity Generator (SGQ)**. Generating 220 but less than 2205 lbs. per month (apprx. 27-269 gallons/month or approximately ½-4 drums)
- **Large Quantity Generator (LQG)**. Generating 2205 lbs. or more a month (apprx. 270 gallons/month or apprx. 4-5 drums)

	QUESTION HW.2 What is your generator status?	☐ VSQG ☐ SQG ☐ LQG

NOTE: About one-half of a 55 gallon drum of liquid waste weighs 220 lbs.

Am I required to notify DNR or EPA of my Generator Status?

Every site which generates, treats, stores, or disposes of hazardous waste must inform EPA and the DNR of its hazardous waste activity by filing EPA form 8700-12, *Notification of Hazardous Waste Activity*. After receiving the notification form, EPA assigns an identification number to the site. **This is called your EPA ID.**

EPA form 8700-12 can be found at: http://www.epa.gov/epaoswer/hazwaste/data/form8700/forms.htm

EPA ID Number is a 12-character number assigned by EPA to each generator, transporter, and treatment, storage, or disposal facility upon request. Facilities which are not generators but anticipate possible generation activity must also apply for and receive an EPA ID number. See the Yellow Ink Room section for procedures to obtain an EPA ID number.

Section C: Hazardous Waste Requirements

Some hazardous waste requirements apply to all facilities that generate hazardous waste and there are some requirements that apply solely based on the facility's Generator Status.

C1. What requirements apply to all hazardous waste generators?

All generators **must** meet the following requirements:

- perform a hazardous waste determination on all waste streams
- notify EPA of generator status
- label all containers of hazardous waste to accurately identify the contents
- ensure delivery/shipment to a permitted treatment, storage and disposal facility
- use US DOT approved drums and containers for off site shipments
- keep all hazardous waste drums/containers closed except when adding or removing waste

Wisconsin Department of Natural Resources
Environmental Results Program
2006 Compliance Certification
For Printers

Facility ID Number

B. Compliance Information (cont.)

	Chapter 2—Hazardous Waste			
HW.1.	Do you generate any hazardous waste? (Read section A, page HW-1 to HW-5.)	☐ Yes. Continue on with the workbook.	☐ No. Skip to the next chapter.	
HW.2.	What is your generator status? (Read section B, page HW-5 to HW-9.)	☐ VSQG	☐ SQG	☐ LQG
HW.3.	Do you keep all drums/containers with hazardous waste closed unless adding or removing waste? (Read section C1, page HW-9.)	☐ Yes	☐ No	
HW.4.	Are your containers labeled properly? (Read section C1, page HW-9.)	☐ Yes	☐ No. Correct immediately.	
HW.5.	Are you handling your HW appropriately based on the generator requirements? (Read section C2, page HW-10.)	☐ Yes	☐ No. Submit RTCP.	
HW.6.	Are you following all of the waste accumulation requirements? (Read section D, page HW-11.)	☐ Yes	☐ No	
HW.7.	Are you meeting the proper hazardous waste transportation/shipping requirements? (Read section E, page HW-12 to HW -13.)	☐ Yes	☐ No (RTCP?)	
HW.8.	Are you meeting the applicable training requirements? (Read section F, page HW-13 to HW-14.)	☐ Yes	☐ No. Develop a training plan.	
	Chapter 3—Wastewater			

B. RETURN COMPLIANCE PLAN FORMS

Return to Compliance Plan #1:

a. What is the compliance question number on the Compliance Certification Checklist for which you are reporting noncompliance?

b. Briefly describe the requirement that your shop is not currently fulfilling:

_____
_____
_____
_____

c. What corrective action will you take to return to compliance?

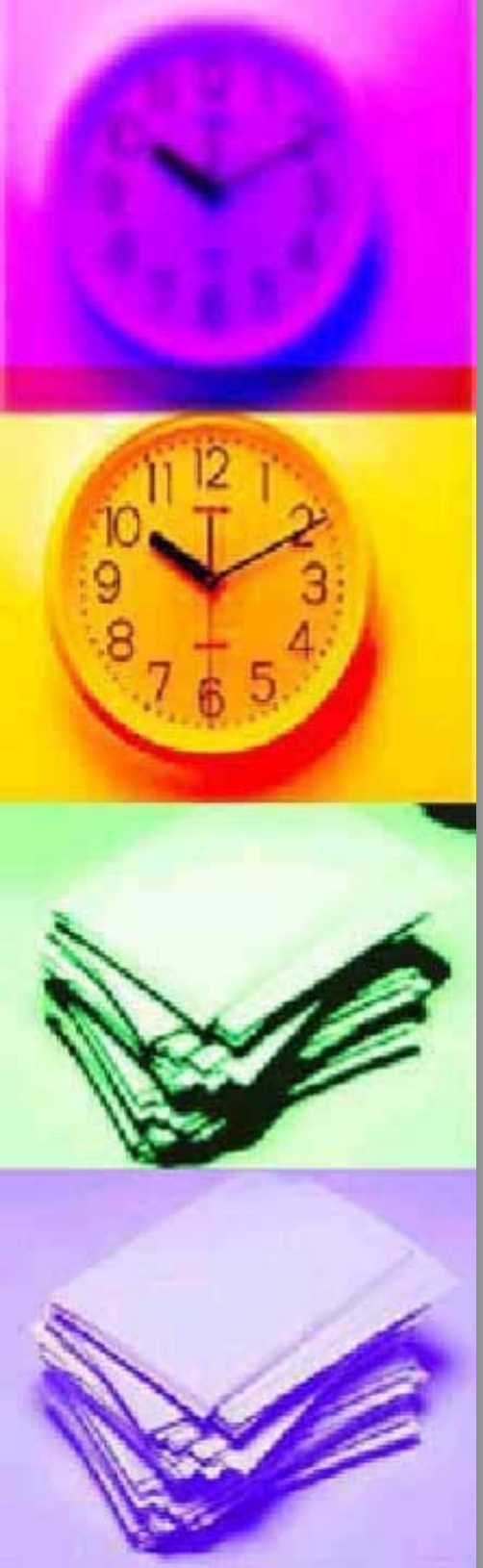
_____
_____
_____
_____

d. Date that you commit to being back in compliance:_____

Return to Compliance Plan #2:

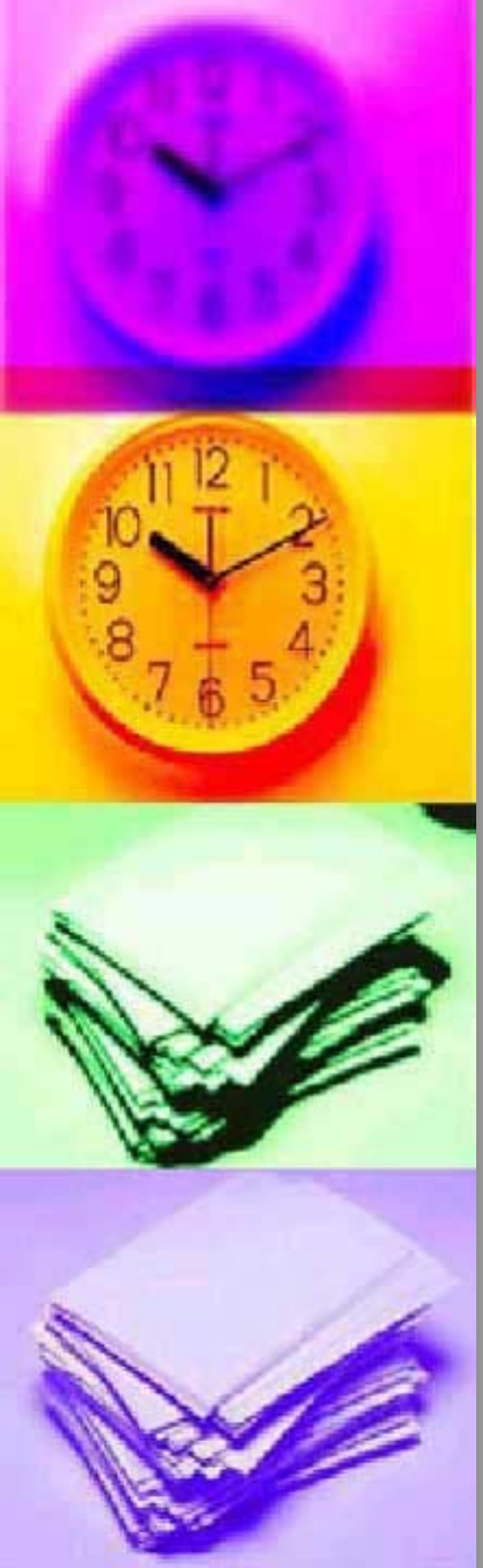
a. What is the compliance question number on the Compliance Certification Checklist for which you are reporting noncompliance?

b. Briefly describe the requirement that your shop is not currently fulfilling:



Web Resources

- U.S. EPA Website: *epa.gov/permits*
- MassDEP Website: *mass.gov/dep/erp*
- WI ERP Web page: commerce.wi.gov/bd/bd-ca-ERPforPrinters.html



Staff Participants

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  - Chuck Schuler
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